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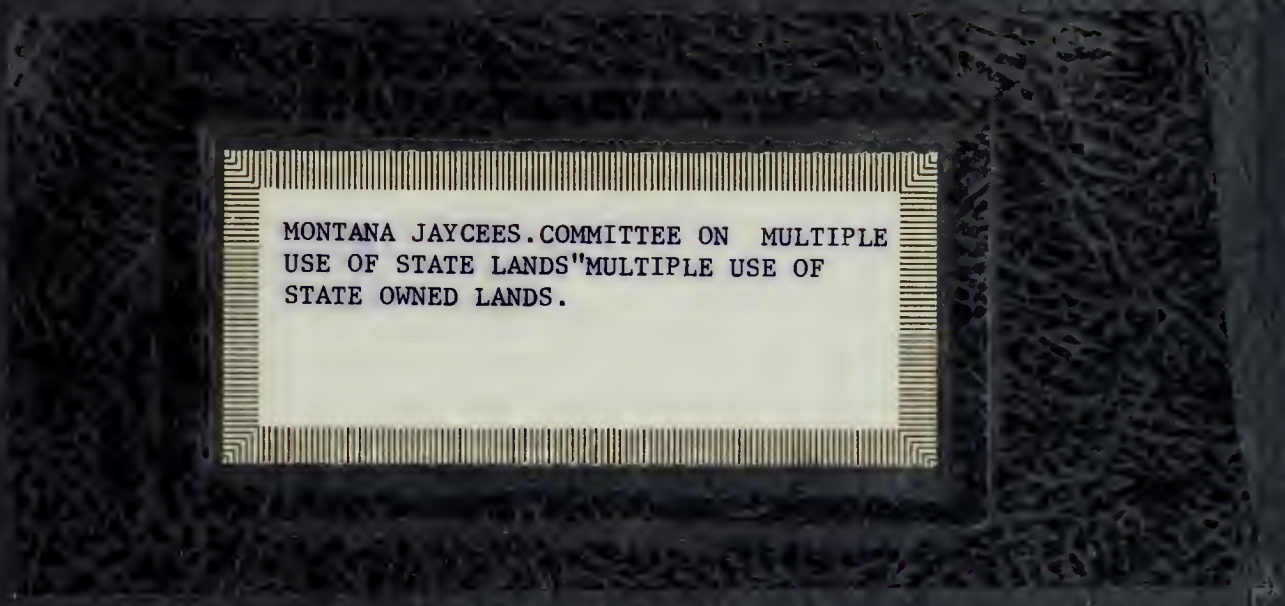

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The Multiple Use of State Owned Land

PLEASE RETURN

MONTANA JAYCEES

"MULTIPLE USE OF STATE OWNED LANDS"

BY

THE COMMITTEE ON MULTIPLE USE

OF STATE LANDS

May 26, 1968

MONTANA JAYCEE REPORT ON

THE MULTIPLE USE OF STATE OWNED LANDS

May 26, 1968

TO His Excellency, Governor Tim Babcock, and

Members of the Forty-First Legislative Assembly
of the State of Montana, and

Members of the Governor's Committee to Study the
Diversified Use of State Owned Lands

Gentlemen:

To comply with "The Resolution of the Montana Jaycees to Support the Multiple Use of State Owned Lands," and to make a comprehensive study of the subject, the Montana Jaycees are submitting this report for your consideration. We are cognizant of the fact that employment of the "Multiple Use Concept" to state lands will enhance development of their resource potential. We feel our recommendations will be advantageous to you.

Respectfully submitted,

DON BIANCHI, President
Montana Jaycees

MULTIPLE USE OF STATE OWNED LANDS

Our study commenced with the adoption of a definition of "Multiple Use of State Lands." The definition chosen by the Committee takes into account the trust status of most state lands. It reads as follows:

> "The interaction of uses in a tract of land to achieve the greatest long time benefits to the beneficiaries of the trust from the natural resources without impairing the primary objective of the tract."

We adopted this definition feeling that the management of the different surface and subsurface resources should be utilized in combination that will best meet the present and future needs of the people of Montana without impairment of the productivity of the land.

Recommendations

The recommendations which follow are, by design, broad in their language. The specific largely has been avoided and no attempt has been made to suggest formulae for implementation of our recommendations. We recognize that the work accomplished to this point is a fraction of that yet to be done if the people of Montana are to receive the optimum benefit from their state lands.

CLASSIFICATION:

We recommend that state lands be classified according to best or primary use and in addition be classified according to the secondary use or uses. In appropriate instances consideration should be given to a recognition that the best or primary use of certain lands will be (1) grazing, (2) farming, (3) fish and wildlife development and utilization, (4) indus-

trial development and mineral production, (5) timber production and protection, (6) watershed protection, (7) preservation of public values which would be lost if these lands were sold, (8) outdoor recreation, (9) occupancy, and (1) urbanization.

LEASES:

The Committee recommends that leases of state lands be made subject to the multiple use concept. Appropriate legislation or regulation to insure a balance between the interests of the primary or best use holder and the rights of the public to secondary use benefits should be considered. Lessees of state lands who abuse or violate lease privileges should be given probationary status and should have their lease rights terminated if the violations are not rectified.

Secondary uses of lands shall occur during periods when the primary use will not be adversely affected. The lessee shall determine with a representative of the State Lands Board the periods of secondary use. If other uses include or necessitate the use of vehicles, defined trails or roadways shall be specified by the lessee in concurrence with a representative of the State Lands Board. Access to these lands for secondary uses should not inconvenience nor represent a cost to the primary lessee.

MINERAL RESOURCES:

The Committee recommends the strip mine and land reclamation laws be reviewed and revised to achieve the maximum present and long range potential use and benefits from the lands affected by mining operations. The surface mining reclamation laws should be strengthened so that the Federal Surface Mining Reclamation Act of 1968 will not result in dictation to our state's mining industry.

The competitive bid system for awarding contracts for

development of mineral lands should be reviewed to offer incentives and protection to prospectors who make discovery of mineral deposits on state lands. For example, the small miner may successfully prospect on state lands but may lose a bid for the lease because of the competitive bidding of a larger company with which he cannot compete.

The minimum royalties for mineral products from state lands should be revised upward and brought into line with realistic monetary values and fiscal necessities. Special emphasis should be placed on coal mining royalties. A continued evaluation of the leasing system to meet changing conditions is recommended.

CONSOLIDATION:

Our studies disclose that in many instances, because of location and related factors, it is virtually impossible to realize any realistic monetary return from certain state lands. The location and nature of these lands likewise make effective administration difficult and stymie any development of the multiple use concept. We recommend that consolidation of state lands wherever possible be undertaken. We suggest that appropriate legislation be considered which would permit the state to sell undesirable tracts and purchase lands contiguous to desirable acreage and which would permit the direct exchange of undesirable acreage for more valuable and usable tracts.

STATE LAND LAW REVIEW COMMISSION:

The Committee recommends appointment of a State Land Law Review Commission to study the entire concept of multiple use of state lands, i.e., (1) to study existing statutes and regulations governing the retention, management and disposition of the state lands, (2) to study present Land Board policies related to number (1), (3) to compile data on the present and future foreseeable demands on the state lands, (4) to review all recommendations submitted to the State Legislature, (5) to

review work done by the Public Land Law Review Commission, and (6) to make recommendations for required modifications in existing law, regulations and policies and submit its report to the 42nd Montana Legislative Assembly.

Conclusions

We trust that this information will prove to be of benefit to the people of the State of Montana in developing more effective use of Montana's resources.

Respectfully submitted,

THE MONTANA JAYCEE MULTIPLE USE COMMITTEE:

John E. Ceserani, Chairman, East Helena

Neil E. McCaslin, Vice Chairman, Bridger

Ervin Hanks, Fishtail

Al Wipperman, Dillon

Michael R. Higgins, Whitefish

Harold Vosen, Malta

Fred Reeves, Helena

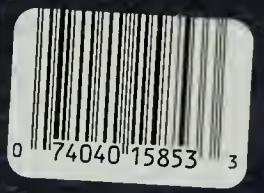
Dick Barron, Sidney

Chuck McGlothlin, Helena

Sam Haddon, Billings

THE JAYCEE CREED

We believe:
That faith in God gives meaning and purpose to human life;
That the brotherhood of man transcends the sovereignty of nations;
That economic justice can best be won by free men through free enterprise;
That government should be of laws rather than of men;
That earth's great treasure lies in human personality;
And that service to humanity is the best work of life.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